

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

In re HAIN CELESTIAL HEAVY METALS
BABY FOOD LITIGATION

This Document Relates To: All Actions

Case No.: 2:21-CV-0678-JS-AYS

**[PROPOSED] ORDER GRANTING MOTION TO APPOINT MELISSA S. WEINER,
ANNICK M. PERSINGER, AND RACHEL SOFFIN AS INTERIM CLASS COUNSEL
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23(g)**

WHEREAS, in light of this Court's Order consolidating the above-referenced cases of May 13, 2021 (Doc. 47);

WHEREAS, finding that appointment of Interim Co-Lead Class Counsel will eliminate duplicative discovery and otherwise conserve the resources of the parties, their counsel, and the judiciary;

WHEREAS, finding the appointment of Interim Co-Lead Class Counsel is appropriate and consistent with Fed. R. Civ. P. 23(g) and the Manual for Complex Litigation (4th ed. 2004);

IT IS NOW HEREBY ORDERED THAT:

1. Plaintiff Hanson's Motion is GRANTED.
1. The Court hereby appoints Melissa S. Weiner of Pearson, Simon & Warshaw, LLP, Annick M. Persinger of Tycko & Zavareei LLP, and Rachel Soffin of Milberg Coleman Bryson Phillips Grossman, PLLC as Interim Co-Lead Class Counsel.
2. Interim Co-Lead Class Counsel shall generally be responsible for coordinating the activities of Plaintiffs in the consolidated cases during pretrial proceedings, including:

- a. To initiate, brief, and argue all motions or opposition briefs on behalf of Plaintiffs on all matters arising during pretrial proceedings, and to otherwise determine and present to the court and opposing parties the position of Plaintiffs on all matters arising during pretrial proceedings;
- b. To otherwise coordinate Plaintiffs' pretrial activities and plan for trial and to represent Plaintiffs at pretrial, scheduling, and status conferences;
- c. To direct, coordinate, and conduct discovery on behalf of Plaintiffs;
- d. To employ and consult with experts;
- e. To conduct settlement negotiations with defense counsel, execute necessary settlement documentation, and present any formalized settlement to the Court on behalf of Plaintiffs;
- f. To call and conduct meetings of Plaintiffs' counsel when appropriate;
- g. To delegate work responsibilities to selected counsel in a manner to ensure the orderly and efficient prosecution of this litigation without duplication; and
- h. To perform such other duties as may be incidental to proper coordination of Plaintiffs' pretrial activities and/or authorized by further order of the Court.

DATED: _____

Hon. Joanna Seybert, U.S.D.J.